

REMARKS

As an initial matter, counsel wishes to express his appreciation for the courtesies extended during the telephone interview conducted March 5, 2009 with the Examiner. The Examiner Interview Summary mailed March 3, 2009 provides an accurate statement of the substance of the interview.

As indicated in the Examiner's Summary, Applicants argued the patentability of claim 1 over Kato. Applicants argued that because Kato's method provides a "very small" amount of deuteration of even the methyl hydrogens of the ester group, Applicants believe that Kato's method provides no amount of deuteration of the tricyclo [5.2.1.0.^{2,6}] deca-8-yl-hydrogens of the ester group.

Turning to the final Action mailed December 3, 2008, claims 1 and 12 are pending in this application. In the final Action, claim 12 is allowed. Claim 1 is rejected under 35 U.S.C. § 103 based on Kawai et al in view of Koike.

In the present Amendment, claim 1 is canceled, thus rendering moot the § 103 rejection of claim 1. Entry of the amendment after final is proper since Applicants are merely canceling a claim to place the application in condition for allowance.

Reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT AND STATEMENT OF
SUBSTANCE OF INTERVIEW
Application No.: 10/565,535

Attorney Docket No.: Q92477

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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